

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 77-157

ORDER REQUIRING THE CITY OF HALF MOON BAY TO  
CEASE AND DESIST FROM DISCHARGING WASTES  
CONTRARY TO REQUIREMENTS PRESCRIBED BY THE  
CALIFORNIA REGIONAL WATER QUALITY CONTROL  
BOARD, SAN FRANCISCO BAY REGION

I. FINDINGS

The California Regional Water Quality Control Board, San Francisco Bay Region, finds that:

- A. On December 17, 1974, the Regional Board adopted Order No. 74-194 (NPDES No. CA0037460) prescribing waste discharge requirements for the discharge by the City of Half Moon Bay, hereinafter referred to as the discharger.
- B. On November 16, 1976 the Regional Board adopted Order No. 76-116 to amend Order No. 74-194 to revise the compliance time schedule.
- C. On June 6, 1977 Cleanup and Abatement Order No. 77-008 was issued to the discharger for violations of effluent suspended solids, chlorine residual, grease and oil, floating particulates and pH. This Order required immediate abatement of these violations.
- D. The discharge requirements of Order No. 74-194, as amended, provides in part as follows:

"A. Effluent Limitations

1. The discharge of an effluent containing constituents in excess of the following limits is prohibited:

<u>Constituents</u>	<u>Units</u>	<u>30-Day Average</u>	<u>7-Day Average</u>	<u>Maximum Daily</u>	<u>Instan- taneous Maximum</u>
a. Chlorine Residual	mg/l	-	-	-	0.0
... ..					
c. Suspended Solids	mg/l	30		60	-
	lbs/day	500		1001	-
	kg/day	227		454	-
... ..					

2. The arithmetic mean of values for ... Suspended Solids in effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of respective values for influent samples collected at approximately the same times during the same period (i.e. 85 percent removal).

3. The discharge of an effluent in excess of the following limits more than the percentage indicated is prohibited:

<u>Constituent</u>	<u>Unit of Measurement</u>	<u>50% of time</u>	<u>10% of time</u>
a. Grease and Oil	mg/l	10	15
... ..			

4. The discharge shall not have a pH of less than 6.0 nor greater than 9.0.

... ..

D. Provisions

... ..

2. The discharger shall comply with the following time schedules to assure compliance with specifications of this Order:

- a. Compliance with effluent limitations A.1.a.:

<u>Task</u>	<u>Completion Date</u>	<u>Report of Compliance Compliance Due</u>
Full Compliance	March 1, 1977	March 15, 1977 "

- E. On March 15, 1977, the Regional Board adopted Resolution No. 77-3, a Resolution regarding the Sewer Authority Mid-Coastside (SAM) regional wastewater facilities, which amended resolution No. 76-9 adopted on May 6, 1976. The City of Half Moon Bay is a member of SAM. Resolution No. 77-3 includes the following:

1. Finding that the SAM project has been delayed because of factors beyond SAM's control.
2. Amended time schedule for the design, construction and completion of the SAM project.
3. Commendation to SAM for its actions towards implementation of a consolidated water quality management plan for San Mateo County Mid-Coastside area.

- F. On August 15, 1977, the California Coastal Zone Conservation Commission, Central Coast Regional Commission, granted permit no. P-77-366 to the Sewer Authority Mid-Coastside (SAM) for construction of regional wastewater facilities, including the City of Half Moon Bay. The permit approved a 1.3 mgd treatment facility. The applicant (SAM) had requested a 2.0 mgd treatment facility. This has caused further delays in implementation of facilities to comply with this Board's requirements.

- G. Inspection by Board staff and the discharger's self-monitoring reports indicate that the discharger is violating or threatens to violate the requirements listed in Finding D. of this Order.

- H. Proposed amendments to the Federal Water Pollution Control Act (P.L. 92-500), presently before congress, contain provisions that, under certain conditions a waiver of secondary treatment limitations may be granted for certain deep ocean discharges. It is uncertain at this time if the SAM project could qualify for such a waiver.
- I. Proposed revisions to the State Water Resources Control Board's Ocean Plan are expected to be adopted by January 1978. It is not anticipated that these revisions will substantially affect the discharge prohibitions or degree of treatment required in current Ocean Plan which are incorporated in the NPDES permit.
- J. Starting at 1:00 p.m. on Friday, December 9, 1977 in the Cabrillo Unified School District Offices, 498 Kelly Street, Half Moon Bay, after due notice to the discharger and other affected persons, a hearing panel of the Regional Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- K. Upon the basis of the evidence received, the hearing panel recommended that the Regional Board issue a Cease and Desist Order against the discharger requiring that he comply with the aforesaid requirements immediately and in accord with a time schedule. The Regional Board has independently reviewed the record..
- L. The discharger is violating and threatening to violate the requirements listed in Finding D. of this Order.

II. IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Finding D. of this Order.
- B. The discharger shall take all reasonable steps to insure compliance with effluent Oil & Grease requirements (A.3.a.) is achieved forthwith.
- C. The discharger shall comply with Board Order No. 74-194, as amended, for Effluent Limitations A.1.a. (chlorine residual) and A.4. (pH) by April 1, 1978.
- D. The discharger shall comply with the Board Order No. 74-194, as amended, for Effluent Limitations A.1.c.(Suspended Solids) and A.2. (Suspended Solids), and achieve consistent compliance with all effluent requirements in accordance with the following time schedule:

<u>Task</u>	<u>Completion Date</u>
1) Submit amended project report for staged construction of consolidated wastewater project (SAM) (defer construction of regional treatment plant)	March 15, 1978
2) Submit complete application to Coastal Commission for staged construction	February 15, 1978
3) Obtain Coastal Commission Permit	April 24, 1978
4) Submit revised plans and specifications to State Water Resources Control Board	July 1, 1978

<u>Task</u>	<u>Completion Date</u>
<u>INTERCEPTORS/OUTFALL</u>	
5) Advertise for construction bids	September 1, 1978
6) Award construction contract	December 1, 1978
7) Completion of construction	June 1, 1980
<u>REGIONAL TREATMENT PLANT</u>	
8) Submit Time Schedule for compliance	Forthwith

- E. Additional discharges to the sewer system by dischargers who did not discharge into the system prior to December 20, 1977 are prohibited; provided the following are excluded from this provision: (a) projects under construction or which were issued building permits before November 23, 1977, (b) projects which would eliminate discharges from existing dwellings which have waste disposal systems causing more severe water quality problems than those caused by the community sewer system, or (c) projects which would alleviate an extreme public hardship or a public health problem. Exclusions pursuant to (b) and (c) shall be obtained by application to and approval of the Executive Officer.
- F. This Board will consider the partial removal of the prohibition of additional discharges and the allowance of a specified number and type of additional discharges to the sewer system by dischargers who did not discharge waste into the system before December 20, 1977, when the City demonstrates to the Board that they have forthwith achieved and completed all tasks in any one of the following sections:
1. Demonstrate consistent compliance with effluent chlorine residual limitation (A.l.a.) and provide assurance of continued compliance through a reliable residual chlorine control system satisfactory to this Board.
  2. Submit a program acceptable to the Regional Board for the routine operation and maintenance of equipment and instrumentation to ensure optimum operation of the existing plant and substantial compliance with effluent and receiving water limitations.
  3. Award construction contracts for interceptors and/or outfall.

The City should submit to the Board adequate documentation of completion of any one of these tasks at least forty (40) days prior to the Board meeting at which they are requesting consideration for partial or complete removal of the prohibition. If the Board determines that the City has forthwith achieved and completed all tasks in any section and that compliance with other limitations and time schedules has not deteriorated, the Board will partially remove said prohibition and will allow the City additional discharges sufficient to serve those proposed projects for which the City has received and processed all documents required by the City for issuance of a building permit.

The Board will consider adding significant tasks not specified above as they become apparent which represent a measure of substantial progress by the City as additional basis for the partial removal of this prohibition and allowance of additional discharges to the sewer system. Further, the Board may consider the complete removal of this prohibition upon the effective implementation of all items above, and a demonstration of substantial progress toward compliance with this Order.

- G. The City of Half Moon Bay is required to submit to the Regional Board by the first day of every month, beginning January 1, 1978 a report, under penalty of perjury, on progress toward compliance with this Order. If noncompliance or threatened noncompliance is reported, the reasons for noncompliance and an estimated completion date shall be provided.
- H. If the Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is authorized, after approval of the Board Chairman, to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.
- I. If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reasons that the discharger has been unable to comply with the provisions of this Order.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on December 20, 1977.

FRED H. DIERKER  
Executive Officer